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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

LISA M. KAY ALLISON,
Plaintiff,
v.
COUNTY OF SANTA CRUZ,
Defendants.

Case No. 5:16-cv-02494-EJD

ORDER TO SHOW CAUSE

COUNTY OF SANTA CRUZ, et al.,
Defendants

On May 9, 2016, Plaintiff Lisa M. Kay Allison (“Plaintiff”) filed the Complaint underlying this action. To date, however, the docket does not contain a certificate of service or waiver of service for several individual defendants, and none of these defendants have appeared in this action. In addition, the court observes that Plaintiff failed to file certificates of service for these defendants even after being specifically ordered to do so. Dkt. No. 60.

Rule 4(m) of the Federal Rules of Civil Procedure provides in pertinent part:

If a defendant is not served within 90 days after the complaint is filed, the court - on motion or on its own after notice to the plaintiff - must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Here, the period for service provided by Rule 4(m) expired on August 30, 2016, according to the order issued by Magistrate Judge Nathanael Cousins on August 25, 2016. Dkt. No. 38. Accordingly, the court issues the instant Order to Show Cause (“OSC”) why the following defendants should not be dismissed for lack of service: C. Logan, S. Buteher, E. Soto, Monte Lee

1 Wilson, and S. Beliz.¹ If Plaintiff does not, by **November 4, 2016**, either: (1) file documents to
2 show proof of service of the Summons and Complaint on these defendants; or (2) explain in
3 writing why service has not been accomplished in a manner that constitutes good cause, the court
4 will dismiss the unserved defendants without prejudice. No hearing will be held on the order to
5 show cause unless otherwise ordered by the court.

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7 **IT IS SO ORDERED.**

8 Dated: November 1, 2016



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10 EDWARD J. DAVILA
United States District Judge

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United States District Court
Northern District of California

¹ Although there is not a certificate of service for B. Amet, the court has permitted Plaintiff additional time to locate Amet in light of the discussions at the recent Case Management Conference. Dkt. No. 60.